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REMARKS

After the Interview, "and collecting the target compound substantially free of protein" has been added at the end of Claim 10 to make it clear that this is not a mere transient product. This and minor change to Claims 10 (Steps) and Claim 23 (comprising) and Claim 44 (New) have been bold-faced to show they were added since the Interview.

Support for the amendments can be found as follows: ("collecting ...") para 0039 last line; ("free of contaminants") para 0089; ("4 bases") Table A; (lysate) paragraphs 0061, 0062, 0138, 0148, etc; (enzyme) paragraph 0051, 0155, 0225, 0230, Table A; (mixture) para 0064, 0069, 0075, 0100, 0110, 0111, 0120, etc.; (batch) paragraphs 0030, 0058, 0061, 0143, 0159 and 0189; (Claim 44) Table A.

All of the arguments stated in the February 2007 response remain applicable and are incorporated herein by reference. A few comments are summarized below:

Petty specifically focuses on purifying proteins bearing extra histidine amino acids encoded by pieces of DNA added to the gene for the protein of interest. Petty's Figure 10.118.1 shows DNA sequences, but they are not purified. Instead, Petty's DNA sources are used to add histidines to his proteins to which are to be purified.

Petty's Step 11 (on page 10.) 1.13 adds a DNA-destroying DNAse enzyme. In many of the applications of the present invention, this would be disastrous.

In short, the Petty reference (like scores of other references) merely teaches the purifying of *proteins*, and a skilled person reading Petty would not learn anything of the present invention's valuable purifying of *DNA and RNA*.

No previous workers, including Hubert '81 and Petty, have shown that double-stranded DNA or RNA do not bind to an IMAC column, so nothing contemplates the present invention's method of separation of double-stranded DNA/RNA from single-stranded. This is a unique feature of the present invention. Stated differently, this is the concept of "shielding", which is used for the first time throughout the present specification, and does not appear anywhere in the prior art. The invention employs this new concept as the basis of separating one thing from another, e.g., mRNA from either plasmid or gDNA.

Hubert processes only monomers and dimers as shown by the subtitle of Hubert 1981: "Group separation of mono- and dinucleotides" Nucleotides (and dinucleotides) are all that Hubert processes. The present claims now specify the source material as a cell lysate or enzymatic reaction product mixture.

Yarchoan-1 does not speak of, or even contemplate, metal-chelate affinity purification or purification methods for any biomolecules, much less the DNA and/or RNA recited in the present claims. Serum uric acid was found to be *increased.* Thus. no purification occurs in Yarchoan at all. People eat the drug ddI and their blood chemistry changes a bit.

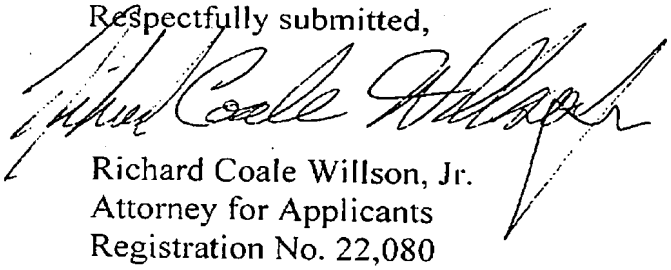
Yarchoan-2 merely describes a clinical trial of the use of AZT for therapy of AIDS. It does not speak of, or even contemplate metal-chelate affinity purification, or any purification methods for any biomolecules, much less DNA or RNA, as recited in the present claims.

Thus, the references, either alone or in combination, do not anticipate the invention under 35 USC 102 nor render it obvious under 35 USC 103.

Any necessary (small entity) charges can be charged to USPTO Deposit Account 20-336 of Technology Licensing Co. LLC. Correspondence may be addressed to Customer No. 26830.

The Examiner is especially invited to suggest allowable subject matter on next action, and to telephone Applicants' Attorney if that would expedite prosecution and disposal of this Application.

Respectfully submitted,



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